

RESOLUTION NO. ~~2014-R-19~~

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AMENDING THE PREVIOUSLY APPROVED CONDITIONAL USE PERMIT AND PRECISE PLAN FOR PHASE IA OF THE BISCAYNE LANDING SITE FORMERLY KNOWN AS "THE OAKS", IN ACCORDANCE WITH SECTIONS 3-405 AND 3-410B OF THE CITY OF NORTH MIAMI CODE OF ORDINANCES, LAND DEVELOPMENT REGULATIONS, IN ORDER TO ALLOW THE CONSTRUCTION OF A NEW AMENITIES BUILDING AND A SECURITY GUARDHOUSE FOR ONE FIFTY ONE AT BISCAYNE CONDOMINIUM ASSOCIATION, INC., F/K/A, THE OAKS I AT BISCAYNE LANDING CONDOMINIUM ASSOCIATION; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

WHEREAS, on June 26, 2007, the Mayor and Council of the City of North Miami ("City"), approved the Conditional Use Permit and Precise Plan for Phase IA of the Biscayne Landing Development site; and

WHEREAS, the approved Conditional Use Permit and Precise Plan included a total of 1018 residential units (consisting of 969 multifamily and 49 townhouse units) on a 24.94 acre portion of the Biscayne Landing Development site; and

WHEREAS, a portion of land consisting of 9.68 acres in size and containing 373 multifamily units was subsequently bifurcated from the larger Biscayne Landing Development site and became known as *One Fifty One at Biscayne Condominium Association, Inc., f/k/a, The Oaks I at Biscayne Landing Condominium Association* ("One Fifty One"); and

WHEREAS, One Fifty One has filed a request with the City Community Planning & Development Department to amend the previously approved Conditional Use Permit and Precise Plan to incorporate the 19,175 square feet amenities building (pool house) and guard house on the site; and

WHEREAS, the Planning Commission, after a duly noticed public hearing held on November 5, 2013, reviewed the proposed request and found it in harmony with the goals, objectives and policies of the Comprehensive Plan and with applicable Land Development Regulations ("LDRs"), and thereby, recommended approval to the Mayor and City Council with certain conditions; and

WHEREAS, the Mayor and Council of the City of North Miami have determined that the proposed amendment to the Conditional Use Permit and Precise Plan for Phase IA (hereupon known as, Phase IA-I) is in the best interest of the City and will not adversely affect the public health, safety and welfare.

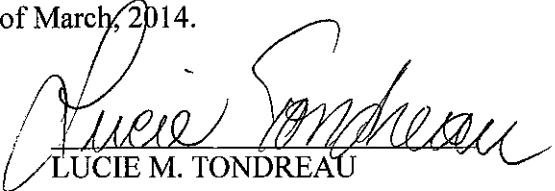
NOW THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA:

Section 1. Approval of Amended Conditional Use Permit and Precise Plan for Phase IA. The Mayor and City Council of the City of North Miami, Florida, hereby approve the amended Conditional Use Permit and Precise Plan for Phase IA of the Biscayne Landing Site (Phase IA-I), attached hereto as "Exhibit 1".

Section 2. Issuance of Amended Conditional Use Permit. The Mayor and City Council of the City of North Miami, Florida, hereby issue an amended Conditional Use Permit, in substantially the attached form.

Section 3. Effective Date. This Resolution shall become effective immediately upon adoption.

PASSED AND ADOPTED by a 5-0 vote of the Mayor and City Council of the City of North Miami, Florida, this 11th day of March, 2014.


LUCIE M. TONDREAU
MAYOR

ATTEST:


MICHAEL A. ETIENNE, ESQ.
CITY CLERK

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:


REGINE M. MONESTIME
CITY ATTORNEY

SPONSORED BY: CITY ADMINISTRATION

Moved by: Galvin

Seconded by: Tondreau

Vote:

Mayor Lucie M. Tondreau

x (Yes) _____ (No)

Vice Mayor Philippe Bien-Aime

x (Yes) _____ (No)

Councilperson Scott Galvin

x (Yes) _____ (No)

Councilperson Carol Keys, Esq.

x (Yes) _____ (No)

Councilperson Marie Erlande Steril

x (Yes) _____ (No)